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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.306 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.172 OF 2006

The Commissioner of Tax ..Appellant.

V/s.

M/s.Mohatta & Heckel Ltd. ..Respondent.

Mr.A.D.Kango for appellant.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 17TH SEPTEMBER, 2007.

P.C. :-

The respondent have been served. There is a delay of 364 days in filing the appeal. Mrs.Kala N. Menon has filed an affidavit in support of the Motion for delay. It appears that the papers pending with the Law Minstry from 24/5/2006 but the draft was received on 7/1/2006 and thereafter the Department did not have the necessary money for Court fees. Considering the above, in our opinion, the cause shown amounts to sufficient cause. Hence delay is condoned. Motion made absolute in terms of prayer clause (a). Office to register the appeal.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**